UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FELICIA MARIE DYER,

                Petitioner,   Case Number: 2:06-CV-14898

v.   HON. GEORGE CARAM STEEH

CLARICE STOVALL,

                Respondent.

_____/

<u>ORDER DENYING PETITIONER'S MOTIONS</u>

Petitioner filed a habeas corpus petition challenging her convictions for assault with intent to commit murder and possession of a firearm during the commission of a felony. On August 15, 2008, the Court denied the petition and denied a certificate of appealability. Now before the Court are Petitioner's Motion for Extending Time, Motion for Certificate of Appealability, and two Motions for Appointment of Counsel.

Over one year after this Court issued its order denying the petition, Petitioner filed a notice of appeal and a motion to extend the appeal period. The Sixth Circuit Court of Appeals has dismissed Petitioner's appeal because she failed to comply with Fed. R. App. P. 4(a). *Dyer v. Stovall*, No. 09-2096 (6th Cir. Nov. 24, 2009). In its order dismissing the appeal, the Court of Appeals noted that Petitioner had filed a motion to extend the appeal period in this Court. The Court of Appeals held that this Court lacked authority to grant the motion because it was filed outside the time for filing a motion for extension of time under Fed. R. App. P. 4(a)(5) or a motion to reopen appeal period under Fed. R. App. P. 4(a)(6). *Id*. Because the Court of Appeals has already ruled on this issue, Petitioner's motion to extend the appeal period is denied.

Petitioner's remaining motions are also denied as moot.

Accordingly, **IT IS ORDERED** that Petitioner's Motion for Extending Time [dkt. # 37],

Motion for Certificate of Appealability [dkt. #39], and Motions for Appointment of Counsel

[dkt. # 34 & # 38] are **DENIED**.

Dated: April 1, 2010

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S/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

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CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on
April 1, 2010, by electronic and/or ordinary mail.

S/Josephine Chaffee
Deputy Clerk